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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 IN RE: PHENYLPROPANOLAMINE
8 (PPA) PRODUCTS LIABILITY
9 LITIGATION,

MDL NO. 1407

10 This document relates to:

11 Donna Sasseen v. IDE Inter-
12 state, et al.,
No. 03-3279

ORDER REGARDING FAILURE
TO USE CASE MANAGEMENT/
ELECTRONIC CASE FILING
SYSTEM

13 On November 28, 2003, Defendant Novartis Consumer Health,
14 Inc. attempted to file its Answer to Plaintiff's Second Amended
15 Complaint with the Court. This filing is in violation of the
16 Court's October 30, 2003 Order Regarding Use of Case Manage-
17 ment/ Electronic Case Filing System ("CM/ECF"). The October 30,
18 2003 Order required all represented parties in MDL 1407 to
19 utilize CM/ECF as of November 15, 2003 and provided that an
20 attorney who is not an electronic filing user by November 15,
21 2003, must show good cause to file and serve pleadings and
22 other papers in the traditional manner. The Order further
23 provided that counsel who succeed in showing cause will never-
24 theless be required to include with traditionally filed papers
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1 a disk or CD-ROM containing a portable document format ("PDF")
2 copy of all papers filed with the Court.

3 The filing in the above case is in violation of the
4 Court's October 30, 2003 Order because counsel failed to (1)
5 file a motion showing good cause to file pleadings in the
6 traditional manner, and (2) provide the Court with a PDF copy
7 of the filing. The Court hereby rejects this attempt to file
8 Defendant Novartis Consumer Health, Inc.'s Answer to Plain-
9 tiff's Second Amended Complaint. Counsel is instructed to
10 refile electronically or according to the provisions of the
11 October 30, 2003 Order.
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13 DATED at Seattle, Washington this 8th day of December,
14 2003.

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16 /s/ Barbara Jacobs Rothstein
17 BARBARA JACOBS ROTHSTEIN
18 UNITED STATES DISTRICT JUDGE
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